

**REMARKS**

Reconsideration of the present application is respectfully requested. No claims have been amended, added, or canceled. As such, claims 1-15 remain pending in the present application.

Claims 1, 2, 4-6, 8, 9, and 11-13 stand rejected under 35 U.S.C. §102(b) as being anticipated by "An Autocorrelation Pitch Detector and Voicing Decision with Confidence Measures Developed for Noise-Corrupted Speech" by Krubsack et al. ("Krubsack"). Claims 1 and 8 recite, in part, "estimating an average distance between said peaks" and "using the estimate of said average distance as an estimate of the pitch."

It is asserted that  $F_0$ , calculated in Krubsack as "the average period length of all of the pitch periods that are at least 50% within the analysis window", is analogous to "estimating an average distance between said peaks" as recited in claims 1 and 8. See Office Action, page 3 and Krubsack, pg. 320, second column, lines 38-40. Applicants respectfully disagree.

Krubsack teaches that the term "period", as used therein, refers to "the first estimate of the pitch period." See Krubsack, pg. 320, column 2, lines 8-10. It can be seen from Krubsack that the term "period" refers to the actual lag or position of a given peak, and not to any distance between peaks. As such, the period of Krubsack does not refer to an average distance between peaks as recited in claims 1 and 8. Applicants respectfully submit that claims 1 and 8 distinguish over Krubsack and request that the §102 rejection of claims 1 and 8 be withdrawn.

Claims 2, 4-6, 9, and 11-13 are either directly or indirectly dependent on one of claims 1 and 8 and should distinguish over Krubsack for at least the same reasons as stated above. Applicants respectfully request that the §102 rejection of claims 2, 4-6, 9, and 11-13 be withdrawn.

Claims 3 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Krubsack in view of "Digital Processing of Speech Signals" by Rabiner et al. ("Rabiner"). Claims 3 and 10 are directly dependent from one of claims 1 and 8 and should distinguish over Krubsack for at least the same reasons as stated above. Rabiner does not remedy the deficiencies of Krubsack in that Rabiner also does not appear to teach "estimating an average

distance between said peaks” and “using the estimate of said average distance as an estimate of the pitch” as recited in claims 1 and 8. Rabiner has merely been cited for the purpose of teaching “estimating a set of filter parameters using linear predictive analysis, providing a modified signal by filtering the speech signal through a filter based on said estimated set of filter parameters, and calculating said conformity function of the modified signal.” Applicants therefore respectfully submit that claims 3 and 10 distinguish over the combination of Krubsack and Rabiner and request that the §103 rejection of claims 3 and 10 be withdrawn.

Claims 7, 14, and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Krubsack in view of well known prior art. Claims 7, 14, and 15 are directly dependent from one of claims 1 and 8 and should distinguish over Krubsack for at least the same reasons as stated above. The asserted well known prior art relates to “the use of pitch extraction techniques in a mobile telephone for the processing of speech.” See Office Action, pg. 5. The asserted well known prior art does not relate to “estimating an average distance between said peaks” and “using the estimate of said average distance as an estimate of the pitch” as recited in claims 1 and 8. Applicants therefore respectfully submit that claims 7, 14, and 15 distinguish over the combination of Krubsack and well known prior art and request that the §103 rejection of claims 7, 14, and 15 be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: 4/16/04

Respectfully submitted,

By 

Ashley N. Moore

Registration No.: 51,667

JENKENS & GILCHRIST, A PROFESSIONAL  
CORPORATION

1445 Ross Avenue, Suite 3200

Dallas, Texas 75202

(214) 855-4500

(214) 855-4300 (Fax)